

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS, INC.,)	
)	
Plaintiff,)	Civil Action No. 3:09cv620(REP)
)	
v.)	
)	
LAWSON SOFTWARE, INC.,)	
)	
Defendant.)	

**PLAINTIFF *ePLUS, INC.*'S REQUEST FOR EXPEDITED TREATMENT FOR ITS
MOTION TO STRIKE THE EXPERT REPORTS
OF PRESTON STAATS AND KEITH KNUTH**

Plaintiff *ePlus, Inc.* (“*ePlus*”) respectfully requests that the Court grant expedited treatment for *ePlus*’s Motion to Strike the Expert Reports of Preston Staats and Keith Knuth. The basis for the motion is that Defendant Lawson Software, Inc.’s Report of Expert Preston Staats Concerning Invalidity and Report of Keith Knuth Concerning Source Code, both served on August 25, 2010, contravene this Court’s August 2, 2010 order on Defendant’s Motion *in Limine* No. 5 that permitted Defendant to disclose new expert reports. Indeed, the Court’s Order was intended to cure any “disadvantage” that Defendant might have with respect to any issues on which Defendant had not already disclosed any proposed expert testimony while not permitting overlapping expert testimony. Defendant used the additional expert reports to offer overlapping testimony that necessitates further rebuttal from *ePlus*.

ePlus respectfully requests expedited treatment for this motion because the trial is only two weeks away. During the limited time remaining, *ePlus* will be consumed with its final trial preparations and expedited resolution of this motion may alleviate *ePlus*’s expenditure of substantial time and resources addressing these new and improper expert reports.

ePlus therefore proposes the following briefing schedule for its motion:

- Defendant's Opposition Brief – Wednesday, September 1
- ePlus Reply Brief – Friday, September 3
- Hearing or Telephonic Conference with Court – as soon as Court is available after September 3.

For the above reasons, ePlus respectfully requests that the Court provide expedited treatment for its motion.

Respectfully submitted,

August 30, 2010

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of August, 2010, I will electronically file the foregoing

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with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

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